

REMARKS

The Examiner is thanked for reconsidering and withdrawing the rejection of claims 6, 11, 13 and 15 under 35 U.S.C. §112, first paragraph.

Claim 22 has been rejected under 35 U.S.C. §112, first paragraph as not being enabling for the elimination of constipation although the specification was noted as being enabling for the treatment of constipation caused by opiates.

Reconsideration is requested.

Claim 22 has been amended to recite that it is directed to a method for the treatment of constipation caused by opiates. The Examiner has acknowledged in the Office Action that the specification is enabling for this method and for this reason it is requested that this ground of rejection be withdrawn. Since this amendment to claim 22 adopts language which the Examiner has identified as being enabling, it is believed that the entry of this Amendment will not raise any matter requiring further search and/or consideration. For this reason, it is requested that this Amendment be entered.

Claims 1-6, 16-17 and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Oshlack et al. (Oshlack). Claims 18 and 22 were not rejected over Oshlack and it is assumed that these claims are free of the prior art.

Reconsideration of this rejection is requested.


Claim 1 has been amended to recite that the composition has specific hydrocolloids and excipients including the recited components. This specific formulation

is not made obvious by Oshlack who mentions many formulations but none having the components of claim 1. It is not seen how aq reference can make obvious a formulation having ingredients that are not disclosed by the reference. Since Oshlack does not mention the ingredients of claim 1, the composition of claim 1 cannot be made based on the teachings of Oshlack.

Claim 6 recites a formulation where the pellets are enteric coated pellets. This formulation is not made obvious by Oshlack who does not disclose an enteric coated formulation. Claim 16 points out a specific three pellet formulation where the pellets are formulated to release the drugs in specific anatomical locations of the small intestine. This formulation is also not made obvious by Oshlack. Amended claim 22 points out a method of treating constipation caused by opiates where the opiate antagonist is administered in the form of enteric coated pellets. Nothing in Oshlack makes claim 22 obvious. For these reasons, it is requested that this rejection be withdrawn.

An early and favorable action is earnestly solicited.

Respectfully submitted,


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